

REMARKS

This paper is filed in response to the November 24, 2006 Office Action. As the one month extension of time filed with this paper extends the response date to March 26, 2007, the date of this filing, this response is timely filed.

I. Status of Amendments

Prior to this response, claims 54, 56-59, 61-66, 68-71 and 78-83 were pending and are still at issue.

II. The November 24, 2006 Office Action

A. Section 103(a) Rejections

The Office Action rejected claims 54, 56-59, 61-65, 68-71 and 78-83 as being unpatentable under 35 USC § 103(a) over Vancura (United States Patent No. 6,413,160) in view of Walker (United States Patent No. 6,394,899) in further view of LaMura (United States Patent No. 6,676,521), or Olsen (United States Patent No. 6,217,448), or LaMura and Walker (United States Patent No. 6,193,606). The Office Action recites, at the bottom of page 2, that the Walker reference is U.S. Patent No. 6,413,160, which is the number of the Vancura reference. The applicant assumes for this response that the number intended was 6,394,899. The applicant respectfully requests reconsideration.

Both independent claims 54 and 66 recite, in part, “the trivia question and the fixed set of answers having a difficulty level selected according to a criterion.” Vancura ‘160 at Col. 1, lines 46-49 states the desire to offer a knowledge-based games in which a player who knows more is rewarded with a greater prize than the player who guesses the answer. This is accomplished by presenting questions with a timed response period, with a faster selection of a correct answer being rewarded at a higher level.

None of the embodiments of Vancura ‘160 has a question/answer difficulty level selected according to a criterion. The embodiment at Col. 5, lines 28-49 relies on a timer to increase the challenge. No comment is made on question/answer selection according to a criterion. The embodiment at Col. 6, lines 19-39 relies on answer removal to vary the challenge. Again, there is no question/answer selection according to a criterion.

Additionally, this embodiment does not have a fixed set of answers as recited in claims 54 and 66.

In contrast, a gaming system as claimed in the current disclosure adjusts the difficulty of the question/answers to address players with increased knowledge.

Similarly, Walker teaches a game having a timed response period to give a greater reward for a faster response (Abstract). Walker also suggests that players may be grouped according to profile or demographics for ranking and matching players (Col. 2, lines 53-56). However, Walker does not disclose, teach, or suggest the trivia question and the fixed set of answers having a difficulty level selected according to a criterion in accordance with claims 54 and 66.

LaMura discusses a trivia game as one choice of activity in a networked game system (Col. 11, lines 33-57). Nowhere does LaMura disclose, teach, or suggest that the trivia question and the fixed set of answers having a difficulty level selected according to a criterion as recited in claims 54 and 66.

Because none of the cited references, Vancura '160, Walker, or LaMura, disclose, teach, or suggest presenting a fixed set of answers having difficulty level selected according to a criterion, the combination of Vancura '160, Walker and LaMura does not disclose, teach, or suggest each limitation of independent claims 54 or 66. Therefore the rejection of claims 54 and 66 for obviousness under 35 USC § 103(a) should be withdrawn.

Because claims 54 and 66 are allowable, their respective dependent claims are also allowable and the rejections of claims 56-59, 61-65 that depend from claim 54 and claims 68-71 and 78-83 that depend from claim 66 should be withdrawn.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

Electronic signature: /Jeffrey K. Berger/
Jeffrey K. Berger
Registration No.: 51,460
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Agent for Applicant